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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Long Term Telephone Number  
Portability Tariff Filings of

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CC Docket No. 99-35

Ameritech Operating Companies	)	Transmittal Nos. 1186, 1187
GTE Systems Telephone Companies	)	Transmittal No. 271
GTE Telephone Operating Companies	)	Transmittal No. 1196
Pacific Bell	)	Transmittal No. 2029
Southwestern Bell Telephone Company	)	Transmittal No. 2745

To: The Deputy Chief, Common Carrier Bureau

**COMMENTS OF ARCH COMMUNICATIONS GROUP  
AND THE PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION  
ON THE DIRECT CASE OF AMERITECH**

Arch Communications, Inc. ("Arch") and the Personal Communications Industry Association ("PCIA"), pursuant to the Order Designating Issues for Investigation, DA 99-374, released February 26, 1999 (the "Designation Order") and the Public Notice, DA 99-577, released March 24, 1999, hereby submit their comments on the Direct Case filed by Ameritech on April 5, 1999 in the above-captioned proceeding.

The following is respectfully shown:

The Designation Order obligated Ameritech and the other LEC parties to the proceeding, *inter alia*, to "provide more complete explanations of their bases for allocating number portability costs among services and why their methods are

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reasonable." Designation Order, para. 35. As was pointed out in a filing made in this proceeding by Arch and PCIA on March 26, 1999<sup>1/</sup>, this designated issue requires Ameritech to explain the reasonableness of including commercial mobile radio service ("CMRS") Type 1 interconnection services among those to which number portability costs would be allocated. In the process, Ameritech should have identified with specificity the manner in which the proposal to charge wireless Type 1 interconnecting carriers was factored into its cost study.

Ameritech fails to address these issues. Section II.D. of the Ameritech Direct Case contains a cursory two-page discussion of the allocation issues posed in Section V. of the Designation Order, and then incorporates by reference pages 23 through 26 of the accompanying Description and Justification. A review of this material reveals no specific mention of the particular manner in which Type 1 interconnection facilities were accounted for in the cost study, and absolutely no justification for including facilities in this category in the allocation mix.

It is clear that the burden is on Ameritech to justify its tariff charges in this investigation proceeding. 47 U.S.C. Section 204(a)(1). Ameritech has failed to meet this burden to the extent that Section 4.7 of its FCC Tariff No. 2 proposes to impose its Service Number Provider Portability ("SPNP") charge on "Type 1 Wireless...customers." As has been pointed out previously by PCIA and Arch, there are only two limited

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<sup>1/</sup> See Petition for Partial Reconsideration of Order Designating Issues for Investigation filed by Arch and PCIA on March 26, 1999 (the "Arch/PCIA Petition").

instances in which ILECs have been authorized by the Commission to impose SPNP charges on other carriers.<sup>2/</sup> Section 52.33(a)(1) permits LNP monthly charges on (i) resellers and (ii) purchasers of an incumbent's unbundled switching ports. See also Third Report and Order.<sup>3/</sup> Wireless carriers who utilize Type 1 connections do not fall into either of these categories. Consequently, they cannot be charged as proposed and the referenced section of the Ameritech tariff should be deemed unlawful.

Respectfully submitted,

ARCH COMMUNICATIONS GROUP, INC

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PERSONAL COMMUNICATIONS  
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April 19, 1999

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<sup>2/</sup> See Petition for Partial Reconsideration, *supra*, at Section III.

<sup>3/</sup> In the Matter of Telephone Number Portability, Third Report and Order, 13 FCC Rcd 11701, paras. 142 to 146 (1998).

**CERTIFICATE OF SERVICE**

I, Shandila Collins, do hereby certify that I have on this 19<sup>th</sup> day of April, 1999, caused true and correct copies of the foregoing **COMMENTS OF ARCH COMMUNICATIONS GROUP AND THE PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION ON THE DIRECT CASE OF AMERITECH** to be sent by first-class United States mail, postage prepaid, facsimile, or by hand delivery to the following:

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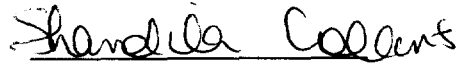
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